

Message

From: Marianne L. Engelman-Lado [mle2128@columbia.edu]
Sent: 10/15/2018 2:41:45 AM
To: Rhines, Dale [rhines.dale@epa.gov]; Dorka, Lilian [Dorka.Lilian@epa.gov]; Covington, Jeryl [Covington.Jeryl@epa.gov]; Biffl, Betsy [Biffl.Betsy@epa.gov]; McGhee, Debra [mcghee.debra@epa.gov]; Stein, Jonathan [Stein.Jonathan@epa.gov]
CC: Ashley Marie Gregor [ag2589@columbia.edu]; Nicole Sockett [nicole.sockett@columbia.edu]; Sarah M Jackson [smj2166@columbia.edu]; Leah Aden [LAden@naacpldf.org]; elloyd@law.columbia.edu; Louis Fisher [lfisher@naacpldf.org]; Jonathan J. Smith [jjsmith@earthjustice.org]; Suzanne Novak [snovak@earthjustice.org]; Northrop, Caleb [caleb.northrop@yale.edu]; Acheampong, Elvis [elvis.acheampong@yale.edu]
Subject: Re: Brief and Materials in Support of Ashurst Bar/Smith Community Organization March 5 2017 Complaint, Case No. 16R-17-R4

Thanks for the acknowledgement.

Marianne

From: "Rhines, Dale" <rhines.dale@epa.gov>
Date: Sunday, October 14, 2018 at 8:24 PM
To: "Marianne L. Engelman-Lado" <mle2128@columbia.edu>, "Dorka, Lilian" <Dorka.Lilian@epa.gov>, "Covington, Jeryl" <Covington.Jeryl@epa.gov>, "Biffl, Betsy" <Biffl.Betsy@epa.gov>, "McGhee, Debra" <mcghee.debra@epa.gov>, "Stein, Jonathan" <Stein.Jonathan@epa.gov>
Cc: Ashley Marie Gregor <ag2589@columbia.edu>, Nicole Sockett <nicole.sockett@columbia.edu>, Sarah Jackson <smj2166@columbia.edu>, Leah Aden <LAden@naacpldf.org>, "elloyd@law.columbia.edu" <elloyd@law.columbia.edu>, Louis Fisher <lfisher@naacpldf.org>, "Jonathan J. Smith" <jjsmith@earthjustice.org>, Suzanne Novak <snovak@earthjustice.org>, "Northrop, Caleb" <caleb.northrop@yale.edu>, "Acheampong, Elvis" <elvis.acheampong@yale.edu>
Subject: RE: Brief and Materials in Support of Ashurst Bar/Smith Community Organization March 5 2017 Complaint, Case No. 16R-17-R4

Marianne,

I wanted to confirm that we received your emails on October 12, 2018 and will be reviewing the documentation provided by your team. If we have any questions about the materials we will make sure to reach out to you for any clarification needed.

From: Marianne L. Engelman-Lado [mailto:mle2128@columbia.edu]
Sent: Friday, October 12, 2018 9:57 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>
Cc: Ashley Marie Gregor <ag2589@columbia.edu>; Nicole Sockett <nicole.sockett@columbia.edu>; Sarah M Jackson <smj2166@columbia.edu>; Leah Aden <LAden@naacpldf.org>; elloyd@law.columbia.edu; Louis Fisher <lfisher@naacpldf.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Suzanne Novak <snovak@earthjustice.org>; Northrop, Caleb <caleb.northrop@yale.edu>; Acheampong, Elvis <elvis.acheampong@yale.edu>
Subject: Brief and Materials in Support of Ashurst Bar/Smith Community Organization March 5 2017 Complaint, Case No. 16R-17-R4

Dear Director Dorka,

Attached please find a brief and additional materials submitted on behalf of the Ashurst Bar/Smith Community Organization in support of their March 5, 2017 Complaint, Case No. 16R-17-R4.

We have tried to pull together information by today in accordance with your request. There is additional information that was not available on this timeline, however. We will be in touch if we receive additional information that might be helpful to your investigation.

As the attached brief and materials make clear, ADEM's decision to renew and reissue the Stone's Throw Landfill permit to operate in the Ashurst Bar/Smith community has a discriminatory and disproportionate impact on the basis of race in violation of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., and EPA's nondiscrimination regulations, 40 C.F.R. Part 7. The evidence is manifest and overwhelming, from pervasive odor that interferes with enjoyment of property to the devaluation of land in this historic predominantly black community, the disparate adverse impacts is a direct consequence of ADEM's decisions to reissue the Landfill's operating permit. But for ADEM's action, the Landfill could not operate in this location. After decades of watching their community destroyed, the residents of the Ashurst Bar/Smith community call on EPA to recognize the disparate impacts of the Landfill and enforce Title VI.

Please let us know if these materials raise any question or we can provide additional information..

Sincerely,

Marianne Engelman Lado

Ashley Gregor*

Sarah Jackson*

Nicole Sockett*

Morningside Heights Legal Services

Environmental Law Clinic

Columbia University School of Law

435 West 116th Street

New York, NY 10027

Mle2128@columbia.edu

Ag2589@columbia.edu

Smj2166@columbia.edu

Nicole.sockett@columbia.edu

*clinicians